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Polygamy and the Church

By WILLARD BURCE

(EDITORIAL NOTE: This article was read as a conference paper by Missionary Burce. It seeks to solve a vexing problem that continues to be the concern of all who have to deal with it.)

POLYGAMY is a common practice among the Enga tribes of Wabag, New Guinea. A survey a few years ago showed that nearly 30 percent of Enga marriages were polygamous.¹

New Guinea Lutheran Mission — Missouri Synod has followed the practice of earlier missions in New Guinea in not baptizing men who have more than one wife or women who are partners in polygamous marriages. While polygamists are welcomed as catechumens, they are not eligible for baptism until they have terminated their polygamous relationships.

Within New Guinea tribal life this procedure generally does not involve economic hardship. If the released wives are old, they live with and are cared for by their grownup children. If they are younger, they may either remarry or return to the clan from which they came and live with their relatives.

The policy of not baptizing polygamists has been fully accepted by the congregations of the Wabag Lutheran Church. There are probably several hundred men and women in our New Guinea congregations today who were formerly partners in polygamous marriages.

On the other hand there are undoubtedly many outside the church who have found in the mission's stand on polygamy a reason for turning away from the Word of God.

The most usual explanation for the practice of not baptizing polygamists can be summarized as follows: (a) Baptism presupposes forsaking of sin; (b) polygamy is sin; (c) therefore Baptism presupposes forsaking of polygamy.

Both of the premises as well as the conclusion of this syllogism have been subject to question from time to time, so that each needs some discussion. There are some other questions too.

Is polygamy a sin?

There is indeed no one Bible verse that explicitly forbids having two or more wives simultaneously.

It can be shown, however, that monogamy was God's arrangement in the Creation. While in the Old Testament some of God's people were polygamists, there is nothing of this recorded as existing in the New Testament church. Rather those who are in Christ are a new creation (2 Cor. 5:17), for whom God's creation order is the norm. (Matt. 19:4-6; Eph. 5:31)

The Family Life Committee of The Lutheran Church — Missouri Synod, trying not to overstate the evidence, says,

While the Old Testament gives no clear command regarding monogamy and shows us many examples of polygamy (without any effort to enforce monogamy, Ex. 21:9 f.), the basic teaching of Genesis 1 and 2 seems to imply monogamy. This is also clear from the general emphasis on fidelity and especially from the words of

¹ M. J. Meggitt, "The Ipili of the Porgera Valley, Western Highlands District, Territory of New Guinea," *Oceania*, XXVIII (Sept. 1957), 41.

our Lord in Matthew 19, where He adds the word "two" to the Genesis passage.2

The 17th-century Lutheran theologian Iohn Gerhard pronounced polygamy illicita ac damnata, "especially in the New Testament." 3 He argued: "Whatever is contrary to the original institution of marriage neither can nor should be tolerated among Christians. Polygamy is contrary to the original institution of marriage." He defended the major premise by referring to Matt. 19:4, where Christ reiterated and confirmed the original institution of marriage and showed that the original institution is the criterion for deciding marriage questions. He defended the minor premise by referring to Gen. 1-2, where God created and joined together only one man and one woman unto one flesh. (He refers with approval to a quotation from Tertullian which points out, as indicating God's will in the matter, that although Adam had many ribs, and although God was certainly not deficient in creative power. He, in fact, removed only one rib and out of it made just one woman!)

Gerhard also refers to Matt. 5:32 and 19:9, arguing that if it is adultery to dismiss one's wife and marry another, how much more is it a sin to marry another while the first is retained. He cites Rom. 7:2 and 1 Cor. 7:39, which state that a woman is bound to her husband as long as he is alive. He reasons: If it is wrong for a woman to marry another man while her husband is alive (polyandry), then it is also just as wrong for a man to marry

another woman or women during the life of his wife (polygyny). He refers also to 1 Cor. 7:2, "his own wife," and "her own husband." He quotes 1 Cor. 7:4 as showing that neither husband nor wife have the right to make their bodies available to any other person, as is done in polygamy; and he adds that it would be as wrong for them to do this by mutual consent as it would be for them to get a divorce by mutual consent. He cites 1 Tim. 3:2 and Titus 1:6, which, he says, refer not to virtues that belong only to bishops, but to virtues that bishops should have in common with all Christians. He also refers to the fact that marriage, as originally ordained, prefigures the relationship of Christ (who is One) and the Church (which is one). (Eph. 5:22-33)

While not all of the above arguments are of equal strength in controversy, the total Scriptural evidence is such that the committee reporting to the Second All-Lutheran Conference in Africa was able to say that at 10 international meetings of Protestant missions from 1856 to 1942 at which this subject was discussed "there was never any doubt about monogamy being God's plan for marriage, that it is the teaching of the New Testament."

The important Antsirabé recommendations are the following:

That we affirm that monogamy is God's
plan for marriage, that it is the teaching of the New Testament, that it is
the ideal relationship for the expression of love between a man and a
woman, and is the proper atmosphere
within which to develop a Christian
family. The entering into a polygamous marriage by a Christian, whether
through the normal channels of giving
a dowry, or through inheritance, or

² Engagement and Marriage (St. Louis: Concordia Publishing House, 1959), p. 158.

³ Loci theologici (Berlin: Gust. Schlawitz, 1869), VII, 121 ff.

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gift, is an offense against the laws of the church.

2. That it is the responsibility of each church, being guided by the Word of God through the Holy Spirit, and being cognizant of the particular time, circumstances, and conditions in which it finds itself, to seek that way which on the one hand will not weaken her standards of faith and practice in the eyes of the world, and on the other hand, will not arbitrarily place upon some who desire its blessings a burden, the consequences of which may be in opposition to the very message of the Gospel.4

Must Baptism always presuppose the forsaking of sin?

Baptism is inseparably associated with repentance (Mark 1:4; Acts 2:38). Repentance means turning away from sin to God (Acts 14:15). Rom. 6 tells of the total incongruity of the proposition that those who have been baptized into Christ should continue in sin, saying, in summary, God forbid!

It has been suggested, however, that in this context we should also consider Rom. 14, which deals with those who are weak in the faith: "Him that is weak in the faith receive ye. To his own master he standeth or falleth. Yes, he shall be holden up, for God is able to make him stand." It has been suggested that if a polygamous catechumen who is in other respects sound in his Christian faith is fully convinced that it would be a greater sin for him to put away his extra wives than it would be for him to retain them,

then he could be admitted to Baptism and to the congregation as one who is weak in the faith. When further instruction brings him to the conviction that his living in polygamy is indeed an offense to God, then he would of course have to separate from all his wives but one.

But is Rom. 14 really applicable to the question of the baptism of polygamists? The apostle in Rom. 14 appears to be discussing people who are already members of the Christian congregation.5 The point on which their faith is weak is, moreover, an adiaphoron, the eating of meat, whereas here we are dealing with a question touching the observance of the Sixth Commandment. It would seem that if applicable here, Rom. 14 could equally well be invoked to sanction the baptism of participants in the Enga young men's and bachelors' cult, practitioners of garden magic, chronic gamblers, and many others who are not convinced that these activities are contrary to Christianity.

In any event the number of polygamists who have completed catechetical instruction and who still express doubts that polygamy is contrary to Scriptural teaching is small, so that this would not solve the main problem.

Is it sinful to put away a second wife?

It may be if it is done in an arbitrary way, so that the second wife is embittered and is driven away from the Word of God. To put her away without making arrangements for her support and that of her children would also be wrong; for the husband, by marrying her, has contracted an obliga-

⁴ Antsirabé, A Record of the Second All-Africa Lutheran Conference (Philadelphia: The Muhlenberg Press, 1961), pp. 175—177. See the appendix to this article.

⁵ G. Stöckhardt, Kommentar über den Brief Pauli an die Römer (St. Louis: Concordia Publishing House, 1907), pp. 592 ff.

tion to her in this area that he cannot offhandedly disavow. To put her away through fear of social stigma or in order to gain personal credit and standing in the church would also be less than Christian.

But if the husband and the wives in a polygamous household have together prayerfully come to an agreement and, motivated by the love of Christ, have worked out a mutually acceptable plan for withdrawing from a marital situation that they all believe is contrary to God's will, it would be difficult to criticize them.

Such passages as Matt. 19:9; 5:32; Luke 16:18; Mark 10:11; 1 Cor. 7:10 f. have at times been cited to show that it is wrong to dismiss the surplus wives in a polygamous marriage. But if polygamy is sin, these passages can hardly apply. Can it be inherently sinful to discontinue a sinful association? The above passages affirm and support the Sixth Commandment. But if polygamy is contrary to God's will for marriage, then it is not its breaking off but its continuation that violates the Sixth Commandment.

That there are on the other hand some kinds of marriages that are contrary to God's will but that nevertheless need not be broken off once they have been contracted seems to be shown by Lev. 20: 19-21.

Does the Church have the right to refuse Baptism to anyone who professes faith in Christ?

Along with the Gospel and the Lord's Supper, Baptism is one of the precious resources and gifts that the Lord has committed into the hands of His church (Matt. 18:17-20; John 3:5). God's people in any given place are His church. To them

belongs the office of the keys. It is for them, using the Word of God and prayer and the wisdom and judgment that God gives, to determine who is to be absolved and who not; whether a man may be baptized or not; whether a given member of the flock should partake of the Lord's Table or be refused admission on account of unworthiness.

Accordingly the right of the congregation to consider whether any given person should or should not be accorded Baptism is a right that cannot be impugned, as is sometimes done when Baptism is viewed in an individualistic way, as though it were a matter resting solely between God and the believer.

Baptism is a powerful means of grace for the recipient. "It works forgiveness of sins, delivers from death and the devil, and gives eternal salvation to all who believe this, as the words and promises of God declare." (Luther's Small Catechism)

At the same time Baptism is an external act through which the recipient is "added to the church" (Acts 2:41; cf. Large Catechism, IV, 2 and 64). Mere attendance at Christian worship services does not identify a person as a Christian. But by receiving Baptism a person explicity casts his lot with Christ's people and is publicly identified as one of them.

The church has Christ's command to baptize (Matt. 28:18-20). This command is not to be despised.

The command to baptize is, moreover, but one among several words that Christ has given to His church. He teaches through St. Paul, for example, that all things should be done "unto edifying" (1 Cor. 14:26) and also that all things

should be done "decently and in order." (1 Cor. 14:40)

If, in addition to the conviction that polygamy is sin and therefore itself an obstacle to Baptism, a congregation is convinced that the Baptism of a polygamist will bring confusion, temptation, and σχάνδαλον into the flock rather than edification and order; that it may lead members of the flock to discontentment with their spouses and arouse in them the desire to share in the "privilege" of plural marriage; that it will cause Christian partners in childless marriages to chafe against the will of God until they take matters into their own hands by embracing polygamy: or that it will tempt catechumens to postpone their systematic hearing of the Word until they have married additional wives so that they can be admitted to the church as polygamists; then as responsible stewards of the mysteries of God the congregation would have no course but to ask the believing polygamist, however exceptional the circumstances of his case, to forego Baptism until such time as it is possible for him to receive it as a monogamist.

It is nothing new in the church that there are people whose saving faith is not questioned but who are for the time being not admitted to the sacraments of the church and who sit, as it were, in the back benches of the congregation. The adult catechumens, for example, occupy that position in the congregation until the congregation is satisfied that they have received adequate instruction and that their Baptism is consistent with good management of the office of the keys.

It may be hard for the polygamist to continue sitting in the back benches year after year. But it may well be better for him, for the congregation, for the catechumens, and for those outside that he remains in the back benches than that he be formally "added to the church" before he has disentangled himself from the system of this world.

To answer in summary the question whether the church has the right to refuse Baptism to a polygamist who professes faith in Christ, it can be said that every Christian congregation has the duty of seeing to it that every adult person who seeks Baptism has been adequately instructed in Christian teaching and that he evidences Christian faith and a Christian life. If any impediments (such as polygamy) are present, the congregation certainly has the right and duty to withhold Baptism until the impediment is no longer present.

Is the polygamist "living in adultery" with the second and third wives?

The entire arrangement is admittedly contrary to God's will as He has revealed it in the institution of marriage and in the New Testament. But in asking whether polygamy is equivalent to adultery we should bear in mind the fact that in the Old Testament adultery was punishable by death (Lev. 20:10), while no real effort seems to have been made at all to enforce monogamy. Polygamy was, in fact, sufficiently recognized that laws were given to prevent abuses in it (Ex. 21:10; Lev. 18:17 f.). On the other hand, a comparison of Deut. 24:1 with Mark 10:2-12 and Matt. 5:31 f. shows that the allowance of a marriage practice in the Old Testament does not necessarily prevent its being called adultery in the New.

The expression "living in adultery" is

commonly used not only in a Biblical but in a civil sense. The American College Dictionary, for example, defines adultery as "voluntary sexual intercourse between a married person and any other than the lawful spouse" (italics ours). In countries like New Guinea polygamy is not contrary to the civil law but is sanctioned and supported by it. In that sense, therefore, it is not "adultery." For this reason the term, if used at all in this context, should be used with careful discrimination. While we want to teach the whole Word of God as the Lord has given it, we do not want to encourage within our congregations a sanctimonious, repellent attitude toward polygynists and their wives and children, all of whom are objects of the love of Christ.

Are polygamous marriages true marriages?

This question is closely related to the preceding one. So far as the Old Testament is concerned, we find no reason for judging Rachel to be any less a true wife of Jacob than was Leah, or for concluding that Abigail, Ahinoam, or Bathsheba were not as truly wives of David as was Michal.

The New Testament makes amply clear that the contracting of polygamous marriages is contrary to God's will. But is every polygamous marriage on that account invalid and void? Many things are sinful and yet valid.

From the first, Lutheran theology has recognized fully the secular aspects of marriage and the authority of government in this area. The *Tract on the Power and Primacy of the Pope* declares that the medieval church authorities possessed their jurisdiction in marriage matters only by human right and it locates the ultimate responsibility in this area by divine right

in the "earthly government officials" (mundani magistratus). Similarly the Marriage Manual (Traubüchlein) appended to the Small Catechism calls marriage and matrimony "a secular concern."

A book cited earlier, Engagement and Marriage, writes in its conclusions:

The Scriptures, while describing marriage and stating its purpose, do not, however, define marriage. Whether the mere "leaving father and mother and cleaving to a wife," or the exchange of vows ("I do"), or the words of the officiant ("I pronounce them husband and wife"), or becoming one through sexual intercourse actually is the effecting cause of marriage, Scripture does not say. Only the leaving of the parental domain, taking a wife in a permanent relationship (cleaving until death), and becoming one flesh are consistently mentioned by the creation account, the Gospels, the apostles (Eph. 5:31). Social approval of parents is implied but not directly commanded. Legal sanction by the community as regards marriage is also implied from Hebrew political law and the general command to be subject to government (Rom. 13).8

In a typical polygamous marriage all the above-mentioned factors are present: the leaving of the parental domain, taking of the wife in a permanent relationship, becoming one flesh, approval of parents, legal sanction by the community and government.

Where these factors are present, it would seem in the light of the preceding that the marriages of a man to a second

⁶ Par. 77; see also pars. 78-81.

⁷ Par. 1 (Bekenntnisschriften, p. 528). See also the quotation from Luther in Engagement and Marriage, p. 70.

⁸ P. 158.

and other wives are, however contrary to Scriptural teaching and repugnant to New Testament Christian standards, nevertheless real and valid marriages, and that the burden of proof rests upon him who would assert the contrary. As valid marriages, moreover, they place a responsibility upon the husband and wife that neither can later arbitrarily disavow on the ground that the marriage was not a "true" marriage. When a polygamist prior to his Baptism lets all but one of his wives go, this is not merely the breaking up of that which was null and void in the first place, but a genuine dissolution of a number of valid but sinful marital unions

Is is necessary for a polygamist, when converted to Christianity, to dismiss all but the first wife?

We have dealt above with the question of whether a polygamist should be baptized so long as he remains a polygamist. The point here is whether we are justified in insisting as a matter of law that it be the first of his wives whom he retains.

That he must retain the first has been taught for a long time. Innocent III, Pope from 1198 to 1216, took this position; so did the Jesuit Robert Bellarmine (1542 to 1621). According to Engagement and Marriage, the rule that the converted polygamist must dismiss all but the first wife is one of the points of canon law that are taught in the chapter on matrimony in the Catechism of the Council of Trent for Parish Priests. 10

It has also been popular among Lutherans. Gerhard gave it preference as "safer for consciences." More recently it has been taught by C. F. W. Walther and J. H. C. Fritz.¹¹

It appears in the proceedings of the Second All-Africa Lutheran Conference as belonging to one of the five common ways of dealing with the question of baptizing polygamists.¹²

Scriptural evidence is lacking in all these sources. Gerhard's quotation from Bellarmine provides us with a clue to the assumption underlying the idea that all but the first wife must be put away:

If an infidel polygamist comes to Baptism, he should be required to dismiss all his wives except the first, because only the union with the first is true matrimony (italics ours).

But the view that "only the union with the first wife is true matrimony" is, as we have shown above, difficult to support. The polygamist's marriages to his second and third wives are not less valid marriages than his marriage to the first. And if his first marriage was entered into at the outset not as a lifetime union of one man and one woman, but as a polygamous marriage, i. e., as merely the first among several, then it is difficult to see how its numerical priority makes it any less sinful or more legitimate than the subsequent marriages.

In a polygamous family it is not always possible even to determine which was the first marriage. For often a man marries two wives on the same day. While he may know to which of them he first paid the bride price and with which of them he first

⁹ Gerhard, VII, 136.

¹⁰ Engagement and Marriage, p. 62.

¹¹ Gerhard, l.c. C. F. W. Walther, Americanish-Lutherische Pastoraltheologie, 5th ed. (Saint Louis: Concordia Publishing House, 1906), p. 229. J. H. C. Fritz, Pastoral Theology, 2d ed. (St. Louis: Concordia Publishing House, 1945), p. 157.

¹² Antsirabé, p. 176.

cohabited, these may not be the same. And in any case, as has been discussed above, Scripture does not identify the specific effecting cause of marriage - whether it is the leaving of father and mother and going home with the spouse, or the exchange of vows, or the words of the officiant, or (in a New Guinea environment) the payment or acceptance of the bride price, or the physical consummation of the marriage. A decision, in the above case, as to which of the two is the first wife could be made only on the basis of an arbitrary ruling as to what is the effecting cause of marriage - or in other words, on the basis of a human judgment where Scripture itself has not spoken.

The rule that a polygamist before coming to Baptism should put away all but the first wife can rest only upon the general principle that, other things being equal, obligations should be honored and debts paid in the order in which we contract them. That this is the principle that is involved rather than any point of fact as to which of the marriages is "true matrimony," is shown, on the human level at least, when missionaries and church elders assume, where the first wife has died, that the second wife has now become the "true" wife and the one who must be retained. But we must note that this principle of meeting prior obligations first is not iure divino but iure humano. We therefore have no right to apply it legalistically and make it binding upon consciences. Often other things are not equal. Sometimes the man from whom we borrowed money later is in dire need of repayment while he from whom we borrowed earlier is not. In that case, if it is agreeable to the first creditor, there is nothing to prevent us from meeting our obligation to the second creditor first. Christian love may compel us to take that course.

In polygamous marriages it may sometimes be the case that the second wife is chronically ill and is much more in need of the husband's help and care than is the first. It is sometimes found that the first wife has long had a repugnance to marital relationships while the marriage with the second wife has been one of consistent sex satisfaction. Sometimes the first wife is old and has adult sons and daughters who are willing to care for her, while the third or fourth wife have small children who are still very much in need of the father's guidance.

As a general guideline the principle should be retained that the husband's obligation to his first wife takes precedence over that to the others, for he has no right arbitrarily to select the wife he likes best and dismiss the rest. But polygamous families who are preparing for Baptism are entitled to the liberty of considering all the factors involved in their case, so that they can make an evangelical, God-pleasing decision as to which wife should stay and which should go. They should not be bound by a legalistic ruling that it must in every case be the first.

Is the policy adopted by the Evangelical Lutheran Church in Liberia a sound solution to the problem of the Baptism of polygamists?

The Lutheran Church in Liberia in 1951 adopted the policy that (a) Christians who enter into polygamous marriages shall be excommunicated, and (b) polygamists who show evidence of true faith may be bap-

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tized and confirmed, but may not hold any office in the church or congregation.¹³

The effectiveness or noneffectiveness of a policy can best be seen in its implementation and results, and we have no information on that point. But on the surface there seem to be some questions. Part (a) of the policy seems intended to prevent the spread of the leaven that is introduced into the church by (b). But can the threat of excommunication accomplish that purpose? Can the law work anything but wrath and rebellion? If the arguments of the polygamous catechumen are acceded to and he is granted Baptism, how can similar arguments later be withstood when they are brought by an excommunicated Christian who entered a polygamous marriage subsequent to his or her Baptism? "How can I put away the mother of my children? . . . it is impossible for me to leave my (polygamous) husband.... I became a polygamist again because of my ignorance; even though I had been baptized, I was still in an unregenerate state ... etc., etc." If arguments similar to these are grounds for granting Baptism to a practicing polygamist, they are certainly also grounds for granting absolution to an otherwise penitent excommunicate and for readmitting him to the congregation with all his wives. It is difficult to see, therefore, how part (a) of the above policy can be an adequate fence against the spread of polygamy within the congregation, once the practice has been admitted.

Conclusions

It is generally most unwise for a missionary to be aggressive in urging polygamous families to break up. The far better

thing is simply to teach the Word of God, Law and Gospel, which includes the Scriptural teaching on the institution of marriage. When the Word of God has had its course among the catechumens, many of these problems come readily to a satisfactory and constructive solution. It is also wise to let the elders of the congregation take the lead in counseling in these matters. They often have a far better insight into the difficulties involved and into the possible solutions than does the missionary. Whenever possible they ought to encourage and assist the "dismissed" wives in finding new husbands. This not only tends to prevent relapses, but helps to assure the care, support, and social integration of the wives and their children.

There have been a number of instances in the congregations of the Wabag Lutheran Church where polygamous ties have been resumed after Baptism. It is unnecessary to refer to the disappointment, anxiety, and stress that these have caused within the congregations. In probably the majority of these cases the polygamous marriages had been "dissolved" only under pressure of an imminent group Baptism date. The "solution" arrived at had, moreover, failed to provide for the remarriage of the released wife or even for her return to her own clan, but merely stipulated her separate domicile within the husband's clan.

It frequently happens that a woman pleads for Baptism, but her polygynous husband is unwilling to release her. Or a polygamous man will want to be baptized, but one or more of his wives is either unwilling to leave him or willing to leave only under protest. In such cases the believing partner can best be counseled to continue as a hearer of the Word (and

¹³ Antsirabé, p. 176.

a witness of the Gospel to his dissident mate or mates) until by the power of the Word and the Spirit all partners in the marriage are fully persuaded and of one mind as to the settlement to be made.

In instructing and counseling polygamous hearers and catechumens, whether this is done by missionaries or by local elders, it is necessary, above all, that the Law and the Gospel be rightly employed. This, as C. F. W. Walther said, "is the most difficult and the highest art of Christians in general and of theologians in particular. It is taught only by the Holy Spirit in the school of experience." To consider in detail the application of Law and Gospel to the particular matter of polygamous marriage would be of real profit to all who counsel in that area. In lieu of such a discussion, which would greatly prolong this paper, it will not be out of place to cite a number of particularly relevant theses from Walther's famed Law and Gospel.14

... The Word of God is not rightly divided when the Law is not preached in its full sternness and the Gospel not in its full sweetness, when, on the contrary, Gospel elements are mingled with the Law and Law elements with the Gospel... The Word of God is not rightly

divided when the preacher describes faith in a manner as if the mere inert acceptance of truths, even while a person is living in mortal sins, renders that person righteous in the sight of God and saves him; or as if faith makes a person righteous and saves him for the reason that it produces in him love and reformation of his mode of living.

- ... The Word of God is not rightly divided when the preacher tries to make people believe that they are truly converted as soon as they have become rid of certain vices and engage in certain works of piety and virtuous practices.
- ... The Word of God is not rightly divided when the preacher speaks of certain sins as if they were not of a damnable, but of a venial nature.
- ... The Word of God is not rightly divided when a person's salvation is made to depend on his association with the visible orthodox Church and when salvation is denied to every person who errs in any article of faith.
- divided when an attempt is made by means of the demands or the threats or the promises of the Law to induce the unregenerate to put away their sins and engage in good works and thus become godly; on the other hand, when an endeavor is made, by means of the commands of the Law rather than by the admonitions of the Gospel, to urge the regenerate to do good.

Wabag, New Guinea

¹⁴ C. F. W. Walther, The Proper Distinction Between Law and Gospel, translated from the German edition of 1897 by W. H. T. Dau (St. Louis: Concordia Publishing House, 1929), pp. 1 ff.